

REMARKS

Claims 1 to 88 were pending in the application at the time of the advisory action. Claims 1 to 3, 6, 10 to 12, 15, 21 to 23, 26, 30 to 32, 35, 41 to 43, 46, 50 to 52, 55, 61 to 63, 66, 78 to 80 and 83 remain rejected as anticipated.

Claims 4, 5, 7 to 9, 13, 14, 16 to 20, 24, 25, 27 to 29, 33, 34, 36 to 40, 44, 45, 47 to 49, 53, 54, 56 to 60, 64, 65, 67 to 77, 79, 81, 82, and 84 to 88 remain rejected as obvious.

Claims 1, 21, 41, and 61 are amended to clarify the relationship between the operations that are all performed on the same device and other devices. The amendments are supported for example at least by Fig. 59. Claims 10, 30, 50, and 78 are amended to clarify the relationship between the operations that are all performed on the same device and other devices.. The amendments are supported for example at least by Fig. 59. The remaining claims are amended to correct antecedent basis informalities.

Claims 1 to 3, 6, 10 to 12, 15, 21 to 23, 26, 30 to 32, 35, 41 to 43, 46, 50 to 52, 55, 61 to 63, 66, 78 to 80 and 83 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,226,744, hereinafter referred to as Murphy.

Applicant respectfully traverses the anticipation rejection of Claims 1, 21, 41, and 61 in view of Murphy. As previously pointed out the MPEP requires that the invention recited in these claims "must be" shown by Murphy in as complete detail and arranged as required by the claim. This is not a permissive standard, but rather one that the rejection is required to comply with.

The rejection has yet to identify clearly what is considered the user device and then demonstrate that Murphy teaches that each of the processes recited in these claims are performed by such a device. The advisory action continues to

reduce the claim language to a gist. These claims, for example, recite:

receiving, on said user device from said rights locker provider over said network, one or more authenticated rights locker access requests in response to said sending, said one or more authenticated rights locker access requests for subsequent use in accessing digital content associated with said rights locker;

The advisory action reduced this to simply exchanging messages, i.e.,

With respect to the argument that Murphy fails to teach a receiving process. [Sic] Murphy discloses the ability to exchange messages. The ability to receive messages is inherently present in the ability to exchange messages.

An ability to receive messages fails to teach the invention in the same level of detail as recited above. This limitation defines the conditions under which the access requests are received and explicitly define such access rights. The rejection must cite to similar teachings in Murphy, which has not been done.

Moreover, Col. 5, lines 55 to 60 fails to teach "one or more authenticated rights locker access requests" received on the user device from the rights locker provider. This section of Murphy describes "a Certified Authority (CA) distributes smart card 10 to a user." There is no teaching that this is done in response to any of the earlier parts of Murphy cited in the rejection. Accordingly, the rejection of these claims is not well founded.

The rejection simply continues to improperly cite to a conglomeration of client actions, server action and information on a smart card. Applicant has pointed out only enough to distinguish and not all the inconsistencies and

improper logic used in the rejection. Murphy fails to anticipate these claims. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 1, 21, 41, and 61.

Claims 2, 3 and 6 depend from Claim 1. Claims 22, 23, and 26 depend from Claim 21. Claims 42, 43 and 46 depend from Claim 41. Claims 62, 63, and 66 depend from Claim 61. Thus, each of these claims distinguishes over Murphy for at least the same reasons as the independent claim from which it depends. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 2, 3, 6, 22, 23, 26, 42, 43, 46, 62, 63 and 66.

Applicant respectfully traverses the anticipation rejection of Claims 10, 30, 50, and 78. The advisory action still fails to consider these claims as a whole. The creating process is performed after the receiving and determining processes and is performed by the same entity that performed those processes. The advisory action admits that the smart card includes tokens created by the CA, but fails to cite any teaching that the CA did the earlier processes recited in the claims. Moreover, the reliance on a single sign-on has nothing to do with the explicit claim limitations and is but further evidence that explicit claim limitations have not been properly considered. The MPEP is unequivocal with respect to an anticipation rejection, the advisory action demonstrates that yet again these requirements have not been met. Murphy fails to anticipate these claims. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 10, 30, 50, and 78.

Claims 11, 12 and 15 depend from Claim 10. Claims 31, 32, and 35 depend from Claim 30. Claims 51, 52 and 55 depend from Claim 50. Claims 79, 80, and 83 depend from Claim 78. Thus, each of these claims distinguishes over Murphy for at least the same reasons as the independent claim from which it

depends. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 11, 12, 15, 31, 32, 35, 51, 52, 55, 79, 80 and 83.

Claims 4, 5, 13, 14, 16, 24, 25, 33, 34, 36, 44, 45, 53, 54, 56, 64, 65, 81, 82, and 84 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy in view of U.S. Patent No. 7,083,095. Assuming the combination of references is correct, the additional information relied upon from the secondary reference fails to correct the deficiencies of Murphy, as noted above, with respect to the independent claims from which these claims depend, and incorporated herein by reference. Therefore, each of Claims 4, 5, 13, 14, 16, 24, 25, 33, 34, 36, 44, 45, 53, 54, 56, 64, 65, 81, 82, and 84 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 4, 5, 13, 14, 16, 24, 25, 33, 34, 36, 44, 45, 53, 54, 56, 64, 65, 81, 82, and 84.

Claims 7, 18, 27, 38, 47, 58, 75, and 86 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of U.S. Patent No. 6,601,173. Assuming the combination of references is correct, the additional information relied upon from the secondary reference fails to correct the deficiencies of Murphy, as noted above, with respect to the independent claims from which these claims depend, and incorporated herein by reference. Therefore, each of Claims 7, 18, 27, 38, 47, 58, 75, and 86 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 7, 18, 27, 38, 47, 58, 75, and 86.

Claims 8, 19, 28, 39, 48, 59, 76, and 87 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Steven W. p, "Use cookies to maintain state in Web applications," Active Server Developer's Journal, Vol. 4, Issue 9, pg. 7,3 Louisville, KY (Sept. 2000). Assuming the

combination of references is correct, the additional information relied upon from the secondary reference fails to correct the deficiencies of Murphy, as noted above, with respect to the independent claims from which these claims depend, and incorporated herein by reference. Therefore, each of Claims 8, 19, 28, 39, 48, 59, 76, and 87 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 8, 19, 28, 39, 48, 59, 76, and 87.

Claims 9, 20, 29, 40, 49, 60, 77, and 88 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of U.S. Patent Application Publication No. 2002/0156905. Assuming the combination of references is correct, the additional information relied upon from the secondary reference fails to correct the deficiencies of Murphy, as noted above, with respect to the independent claims from which these claims depend, and incorporated herein by reference. Therefore, each of Claims 9, 20, 29, 40, 49, 60, 77, and 88 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 9, 20, 29, 40, 49, 60, 77, and 88.

Claims 68 to 74 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of an unstated Official Notice. Assuming that both the use of Official Notice, without declaring such notice, and the combination of references is correct, the additional information relied upon from the secondary reference fails to correct the deficiencies of Murphy, as noted above, with respect to the independent claims from which these claims depend, and incorporated herein by reference. Therefore, each of Claims 68 to 74 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 68 to 74.

Appl. No. 10/687,488

Amdt. dated October 23, 2007

Reply to Advisory Action of October 15, 2007

Claims 1 to 88 remain in the application. Claims 1, 3, 10, 21, 23, 30, 41, 43, 50, 61, 63, and 78 have been amended. For the foregoing reasons, Applicant respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 23, 2007.



Attorney for Applicant(s)

October 23, 2007
Date of Signature

Respectfully submitted,



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